United Nations A/53/169

General Assembly

Distr.: General
7 July 1998
English
Original: Arabic/Chinese/English/
French/Russian/Spanish

Fifty-third session
Item 72 (m) of the preliminary list*
General and complete disarmament: small arms

Report of the Secretary-General

Contents

		Paragraphs	Page
I.	Introduction	1–3	2
II.	Replies received from Governments		2
	Belarus		2
	Canada		2
	China		3
	Colombia		4
	Côte d'Ivoire		7
	Israel		7
	Jordan		8
	New Zealand		9
	Poland		9
	Republic of Korea		10
	Russian Federation		10
	San Marino		11
	Singapore		11
	Turkey		12
	United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union)		12
	United States of America		15

* A/53/50.

98-20064 (E) 310798 140898

I. Introduction

1. On 9 December 1997, the General Assembly adopted resolution 52/38 J, entitled "Small arms", in paragraph 4 of which it requested the Secretary-General to seek the views of Member States on the Secretary-General's Report on Small Arms (A/52/298) and on the steps that they had taken to implement its recommendations, and, in particular, to seek their views on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects in time for consideration by the General Assembly at its fifty-third session.

2. Pursuant to the request contained in paragraph 4 of the resolution, a note verbale was sent on 15 April 1998 to all Member States inviting them to provide information on the subject. To date replies have been received from Belarus, Canada, China, Colombia, Côte d'Ivoire, Israel, Jordan, New Zealand, Poland, the Republic of Korea, the Russian Federation, San Marino, Singapore, Turkey, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union) and the United States of America.

3. The replies are reproduced in section II below. Should any further replies be received from Member States, they will be issued as addenda to the present report.

II. Replies received from Governments

Belarus

[Original: English]
[13 May 1998]

The Government of the Republic of Belarus strictly adheres to international non-proliferation and export control principles, fully meets its responsibilities in conventional arms and complicated technologies export. The President of the Republic of Belarus H.E. Mr. A. Lukashenka signed the Export Control Law on 6 January 1998. The Government of the Republic of Belarus intends expeditiously to initiate additional measures to develop a national export control system.

The Republic of Belarus is keenly interested in the development of international cooperation in the above-mentioned field. In this regard, the Government of the Republic of Belarus supports the convening of an international conference on the illicit arms trade in all its aspects.

Canada

[Original: English]
[20 May 1998]

1. With reference to paragraph 4 of resolution 52/38 J, the Government of Canada would like to provide its views to the Secretary-General on the report of the United Nations Panel of Governmental Experts on Small Arms and on the steps that have been taken to implement its recommendations.

2. Canada was one of the countries which provided an expert to participate on the Panel. Canada endorses the report of the Panel and congratulates the Panel, its Chairman, and its secretariat for the quality and relevance of the report. Canada views the recommendations

contained in the report as providing an excellent basis upon which international action may be undertaken to address the issue of the proliferation of small arms and light weapons.

3. Canada will again provide an expert to participate in the next series of deliberations of the Panel when it reconvenes beginning on 26 May 1998.

4. Since the submission of the report in August 1997, Canada has on several occasions and in various forums expressed its concern over the issue of the proliferation and unchecked transfers of small arms and light weapons. It is Canada's belief that the presence and use of those weapons, particularly in areas of conflict and tension, have serious consequences for international peace and security, internal security and human suffering. As this is a complex and multifaceted issue, coherent and complementary international and regional initiatives are needed to address it. To that end Canada, in tandem with the Governments of like-minded countries and with non-governmental organizations, is exploring ideas for action.

5. With reference to recommendation 80 (m) of the Panel report, which recommended that the United Nations initiate a study of all aspects of the problem of ammunition and explosives, the Department of Foreign Affairs and International Trade published in April 1998 a study entitled: *The Role of Ammunition Controls in Addressing Excessive and Destabilizing Accumulations of Small Arms*. This study was undertaken under the auspices of Canada's Verification Research Program by the Canadian representative on the Panel. While the views expressed in this research study are those of the author and are not necessarily those of the Government of Canada, it is our view that the study contributes to a better understanding of that aspect of the issue.

6. Canada endorses recommendation 80 (k), in which the Panel urges the United Nations to consider convening an international conference on the illicit arms trade in all its aspects. Canada concurs that international attention needs to be brought to bear on the illicit arms trade. Canada believes that attention, perhaps in the form of international conferences, also needs to be paid to the issue of licit commercial transfers of small arms and light weapons, as well as to the issue of assisting civil society to ensure security in areas emerging from conflict by way of reducing excessive accumulations and surplus stockpiles of small arms and light weapons.

China

[Original: Chinese and English]
[22 May 1998]

China agrees, in principle, to the analysis set out in the report of the Panel of Governmental Experts on Small Arms of the causes of regional turmoil, including the role of excessive accumulation of and illicit trafficking in small arms. The approach to the analysis is on the whole objective and balanced.

China believes that, given their complex nature, the causes of regional turmoil and conflicts are varied, involving a wide spectrum, from political, economic and social factors to territorial disputes and religious conflicts. The accumulation of small arms itself does not cause conflicts. Therefore, in addressing the problem of excessive accumulation and illicit trafficking, it is desirable to focus on both its symptoms and root causes, with emphasis on the latter. In the meantime, we have also taken note that the report recognizes the right of all countries to the legal possession of and trade in small arms.

China also believes that excessive accumulation of and illicit trafficking in small arms may contribute to the exacerbation of the situation in areas of turmoil, the escalation of

conflicts and the further spread of terrorism and drug trafficking, impeding social and economic development in the relevant regions, with an even worse impact on developing countries in conflict. China understands the aspiration for peace and development of countries and regions affected by conflicts and turmoil and actively supports the international community in taking appropriate measures to address the problems flowing from excessive accumulation of and illicit trafficking in small arms.

With regard to the recommendations section of the report:

(a) China goes along with the recommendations, under which countries and regional organizations are required to strengthen legislation and cooperation in combating illicit trafficking in small arms. It also holds that the relevant recommendations could be more detailed.

(b) China believes that in peacekeeping operations or in handling the problem of excessive accumulation of small arms after a war, it is important that the sovereignty of the relevant countries be respected and any interference in the internal affairs of the countries in turmoil on the above pretext be guarded against and prevented.

(c) China has some reservations on the idea of extending Mali's experience to all other regions and countries. We are of the view that though the experience of one country merits consideration by others, it might not be appropriate to copy the experience, given the fact that operations in different regions need to be undertaken in the light of their respective actual situations and specific conditions.

(d) With regard to the role of the United Nations in solving the problem of small arms, China considers that it should mainly play the role of an adviser and coordinator. In case of a need to take concrete measures on specific problems, it should act cautiously in strict accordance with the mandate given by the Security Council and on the premise of respecting the agreements reached voluntarily by the parties concerned, including regional organizations in the area.

Colombia

[Original: Spanish]
[13 May 1998]

Recommendations of the Government of Colombia on the convening of an international conference on the illicit arms trade

The Government of Colombia considers the recommendation on the convening of a United Nations conference to seek global solutions to the problem of the illicit trade in small arms to be the most important of the various recommendations contained in the report in question.

After a number of years of focusing on this topic, it is now recognized that the illicit traffic in small arms and their criminal use are a problem which has grave consequences for many States Members of the United Nations; it increases the levels of violence and crime, creates public insecurity and helps to support transnational organized crime.

In addition to a series of resolutions adopted by the United Nations General Assembly on this topic, various international and regional initiatives have been put forward to deal with the problem of the illicit arms trade:

- The report of the Secretary-General on ways and means of promoting transparency in international transfers of conventional arms, prepared in

cooperation with a group of governmental experts and adopted by the General Assembly in 1991, which includes a chapter and a number of recommendations on ways of stemming the illicit arms trade;

- The guidelines for international arms transfers in the context of General Assembly resolution 46/36 H, adopted by the Disarmament Commission and the General Assembly in 1996, which deal mainly with the illicit arms trade;
- The initiative taken by Mali concerning the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;
- The United Nations international study on firearm regulation and complementary measures, submitted in 1997 to the Commission on Crime Prevention and Criminal Justice at its sixth session;
- The regional workshops on firearm regulation held in Africa, the Americas, Asia and Europe from September 1997 to January 1998, pursuant to Economic and Social Council resolutions 1996/28 and 1997/28;
- The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, adopted by the Organization of American States in 1997;
- The Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition, adopted in 1997 by the Inter-American Drug Abuse Control Commission (CICAD) under the auspices of the Organization of American States;
- The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies;
- Studies done by many non-governmental organizations, reflecting the views of civil society, particularly those of the victims of crimes involving small arms, which demonstrate the need to control the trade in and individual ownership of such arms;
- The report of the Secretary-General on small arms, prepared in cooperation with the Panel of Governmental Experts and adopted by the General Assembly in 1997.

All the important work accomplished and experience gained in recent years indicate the international community's concern with the problem of the circulation and illicit traffic in small arms. Nonetheless, a review of the agreements, reports, documents and other material obtained from the studies and activities carried out on this topic shows that the international community's sincere concern at the destructive effects of the circulation of and illicit traffic in small arms stands in contrast to the fact that steps designed to combat this scourge still take the form of recommendations.

Except in the Americas, where the legally binding Inter-American Convention against the Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials has been adopted, it is high time that the recommended actions to combat the destabilizing circulation of and illicit traffic in small arms were considered by the international community as a whole and taken as a point of departure for negotiating a binding global convention.

In the Colombian Government's view, a binding international convention on this topic should oblige States to adopt legislative measures for the domestic control of firearms, ammunition and explosives as an essential prerequisite in order to prevent the criminal use

of these arms and their diversion through clandestine, illicit channels. At the same time, the convention should establish mechanisms for its implementation, such as those needed to control and supervise all the links in the chain, from the production to the distribution and marketing of these arms.

Since the illicit arms trade is immersed in an underground economy which consists of a series of international black markets backed by their own supply sources, information and communication systems and distribution and finance networks, it is easy to conclude that the effort to combat this scourge requires the same strategies and mechanisms as those established to combat, for example, drug trafficking.

In the framework of a binding convention against the illicit traffic in small arms and their criminal use, cooperation agreements should be signed on various facets of the problem, such as:

- Institutional and legal changes;
- Reinforcement of the judicial system;
- Judicial cooperation;
- Cooperation among the relevant authorities – exchange of experience, information and evidence;
- Legal agreements against money-laundering;
- Mechanisms to fight organized crime;
- Control and monitoring of borders by air, sea and land;
- Coordination of intelligence;
- Control and interdiction of trafficking and distribution;
- International detection systems;
- Advisory assistance and staff training;
- Equipment;
- Control of parts used in the assembly of small arms;
- Strengthening of international cooperation.

Also in this legal framework, bilateral cooperation agreements should be signed between the countries affected by the circulation of and illicit traffic in small arms and the countries supplying such arms, on specific ways to prevent and combat this problem.

In relation to the recommendation contained in the Secretary-General's report on small arms for the convening of an international conference on the illicit arms trade, the Colombian Government's view is that such a conference should be held as soon as possible.

It should be noted that, for the purposes of elaborating that report and its recommendations, the Panel reviewed the replies received from Member States on the topic, the conclusions of other United Nations bodies and groups, the opinions of various academic researchers, and especially the experience gained from the three regional workshops held respectively in Africa, Central America and Asia.

This stock of information and experience accumulated by Member States and United Nations organs points up the need to accord the highest priority to combating the circulation of and illicit traffic in small arms.

Côte d'Ivoire

[Original: French]
[11 May 1998]

The Ivorian Government has studied the report on small arms prepared by the Secretary-General with the assistance of a panel of governmental experts. It approves of the main recommendations, particularly the one contained in paragraph 80 (k) concerning the convening of an international conference on the illicit arms trade in all its aspects.

Like a number of other States of the West African subregion, Côte d'Ivoire is affected by the consequences of the illicit circulation of small arms.

In view of this evil, the Ivorian Government recently adopted a number of measures of an administrative and legal nature at the national level which are in keeping with the recommendations set forth in the Secretary-General's report.

At the regional level, the Ivorian security organs collaborate closely with the authorities of neighbouring countries in order to control the proliferation of small arms in the subregion.

Israel

[Original: English]
[14 May 1998]

Israel views with grave concern the illicit transfer and proliferation of small arms ammunition and explosives. This proliferation threatens international security and the security of States and has exacerbated casualties among civilians and internal conflicts.

The widespread international availability of illicit small arms has increased the lethality of actions by terrorist and criminal groups around the world.

The Government of Israel closely scrutinizes the export and import of arms into and from Israel, all of which are subject to comprehensive legislation and monitoring.

Israel's arms transfer policy prohibits exports, *inter alia*, to regions or States under United Nations Security Council weapons sales embargo, to non-State entities, to subversive and underground groups or areas of ongoing internal armed conflict between rival parties.

Israel is willing to explore with other States methods to improve the curbing of illicit trafficking in and transshipment of small arms. The promotion of better international and regional norms and export control mechanisms in this domain may prove helpful.

Israel would welcome an international conference on these issues and would be happy to participate and contribute to any such discussion.

Jordan

[Original: Arabic]
[30 June 1998]

Comments on the report of the panel of experts referred to in General Assembly resolution 52/38 J concerning small arms and light weapons

1. The report is of the greatest importance, dealing as it does with the security, political and social issues affecting Governments and societies as a consequence of the unjustified and ill-considered use of small arms and light weapons.

2. We consider that, whereas international regulations for the control of unconventional weapons as well as of large and medium-size conventional weapons are in existence, while small arms and weapons for personal use are not so controlled, an international effort in that area has become highly necessary in order to alleviate the sufferings of peoples caused by such weapons.

3. In spite of the multiplicity of reasons and circumstances leading to the proliferation of such weapons throughout the world, we consider that the essential reasons lie in the sources of production and in the ease with which such weapons can be obtained by States and by armed groups and organizations. Accordingly, control, by means of international legislation, over the production, distribution and transfer to such entities is the basis for solving the problems caused.

4. Strict military control is generally exercised over the use of such weapons by the armed forces, but such control is minimal among armed opposition organizations and paramilitary groups. Accordingly, we consider international control over the supply of small arms and light weapons to such groups to be essential in order to alleviate the problem.

5. It is necessary to establish an international framework for control over the legitimate trade in such weapons and their diversion to the black market in arms, including resolute international efforts to combat such phenomena.

6. The danger of the utilization of such weapons is at its most conspicuous in the case of terrorism and terrorist groups; we believe that priority for control in this area should be accorded to the following weapons:

(a) Air defence weapons fired from the shoulder, since the proliferation of such weapons among terrorist groups endangers the freedom and safety of civil aviation;

(b) Light anti-tank weapons, since the proliferation of such weapons endangers the freedom and safety of overland foreign haulage, thereby entailing the potential closure of highways of national and strategic importance.

7. A proposed means of monitoring the spread of such weapons to terrorist organizations and groups would be to mark them at the place of production, affixing a written warning on them, explaining the hazards of their utilization; such a measure would facilitate the process of tracing the weapons.

8. The distribution of ammunition could also be controlled, since weapons lose their real value if the supply of ammunition is restricted.

9. Machine-guns should be given special priority in any international legislation on account of their danger to society and to the public, in the event of their being used in populated areas.

10. Sophisticated military technology is an additional danger if used in terrorism, and international legislation in this field is therefore vital.

11. We consider that the expression of "legitimate national ... defence" used in chapter IV, paragraph 37 (a), of the report is vague and implies no specific political or military limitations. A clear definition would therefore be useful in that paragraph.

12. Since the spread of small arms and light weapons is associated, in most cases, with trans-frontier smuggling networks, international legislation should take that fact into account, with a view to effective and practical efforts being made by the countries affected by the problem to combat smuggling as part of the process of combating the illegal proliferation of such weapons.

13. We consider that one of the main aspects of such proliferation is the fact that Governments distribute small arms to their citizens (for political, ethnic or security reasons), and that this is a major danger in societies where this practice occurs. The international community could take substantial steps to clamp down on this phenomenon and mitigate its effects.

14. Chapter IV.E of the report deals with the regional realities for Africa, Central America, South Asia and Europe. It omits the Middle East, which is confronted with this problem in the same way as the rest of the international community. In our view, there is a need for a panel of experts to make a detailed study of that region.

15. We propose the creation of regional machinery – at the level of each region – to combat this phenomenon, such as a regional centre for combating the proliferation of small arms and its consequences.

16. We support the convening of an international conference to study this phenomenon and its causes, and the adoption of international legislation to combat it.

New Zealand

[Original: English]
[21 May 1998]

The Government of New Zealand is concerned about the loss of life caused by small arms, particularly in regions of tension. New Zealand does not manufacture those weapons and practises strict national export controls, which include the screening of exports of small arms on a case-by-case basis. All such exports require a permit for export from the New Zealand Ministry of Foreign Affairs and Trade. As a matter of policy, the Government of New Zealand does not approve the export of small arms to areas of regional tension. New Zealand welcomes constructive United Nations initiatives to address the problem of illicit arms trading and would support an international conference on the illicit arms trade.

Poland

[Original: English]
[20 May 1998]

The Permanent Mission of the Republic of Poland to the United Nations presents it compliments to the Secretariat of the United Nations and with reference to General Assembly resolution 52/38 J entitled "Small arms" and the Secretariat's note DDA/3-98/SA dated 15 April 1998, has the honour to inform the latter that the Republic of Poland has no

reservations with regard to the convening of an international conference on the illicit arms trade in all its aspects.

Republic of Korea

[Original: English]
[22 May 1998]

The Republic of Korea:

(a) Supports the convening of an international conference on the illicit arms trade in all its forms in time for consideration by the General Assembly at its fifty-third session;

(b) Advocates strengthened control of small arms and light weapons through the modification of the July 1997 domestic law "Public Notice on Export and Import of Strategic Goods", which:

(i) Requires governmental authorization for the export and import of small arms and light weapons;

(ii) Forbids the export of small arms and light weapons to regions in conflict, including those in potential conflict;

(c) Is participating in other international efforts towards the enhancement of transparency in arms transfer through, *inter alia*, the report of the transfer of all regulated weapons to the United Nations (annually) and to the Waasenaar Arrangement (biannually).

Russian Federation

[Original: Russian]
[22 June 1998]

Russia shares the concern with respect to the worldwide proliferation of small arms and light weapons, particularly in regions of armed conflict.

In that connection, Russia took part in the preparation of the report on small arms submitted to the Secretary-General in 1997 and complies with its recommendations.

In particular, an Armaments Act is in force in Russia which regulates the internal circulation of weapons, including small arms, and sets out the rules and arrangements for their production, transfer, storage and so forth.

In recent years, measures have been tightened up in Russia to combat the illicit proliferation of such weapons.

Deliveries of Russian small arms and light weapons for export are under strict State control.

Russia has no objection to the further study of the problem of small arms and light weapons, including the convening of an international conference for that purpose. At the same time, our country is against prejudging its outcome.

The Russian Federation considers that, in present circumstances, the main trend of measures to combat the uncontrolled proliferation throughout the world of small arms and light weapons is through joint efforts to limit their illicit circulation.

The tightening up of State control over the production, stockpiling and delivery of such weapons, primarily in the developing countries, and close cooperation between police, customs, licensing and other agencies in the various States, are essential.

The Russian Federation, as a matter of principle, supports measures to assist individual countries in combating the illicit circulation of small arms and light weapons, and is in a position to offer technical and expert assistance.

In accordance with the recommendations of the United Nations panel of experts on small arms and light weapons, the question of destroying surplus weapons and stockpiles of such weapons is within the discretion of the State itself. We consider that approach to be the correct one.

Russia also agrees that it is essential to disarm former combatants in areas of conflict, and to collect and destroy their weapons as a major condition for the normalization of the situation.

The Russian Federation considers that, at the present stage, any radical measures to introduce international control and to limit the legal transfer of small arms and light weapons would be counter-productive and premature.

At the same time, Russia will not object to the introduction by States in any region of a moratorium on the import of such weapons, provided that it is done on a voluntary and non-discriminatory basis.

The origin and channels of proliferation of small arms and light weapons are sometimes very difficult to establish. Accordingly, Russia considers that, at the present stage, it would be counter-productive to include this category of weapons in the United Nations Register of Conventional Arms, or to assign them to a separate register.

San Marino

[Original: English]
[8 May 1998]

The Permanent Mission of the Republic of San Marino to the United Nations has the honour to inform the Department for Disarmament Affairs of the United Nations that the Government of the Republic of San Marino is favourable, in principle, to the proposal to organize an international conference on all forms of illicit traffic of arms and it reserves the right to examine in detail the specific terms of the organization of the conference to confirm its support.

Singapore

[Original: English]
[26 May 1998]

1. The Government of Singapore has taken note of the report of the Panel of Governmental Experts on Small Arms dated 27 August 1997 (A/52/298). Singapore is of the view that the illicit transfer of small arms poses a real danger to regional and international security. Singapore recognizes the need to curb small arms obtained through the illicit arms trade. For that reason, Singapore supported General Assembly resolutions 50/70 B and 52/38 J on small arms. Their objective was to stop the proliferation of small arms in the illicit international arms trade. For the same reason, Singapore is participating in the work of the group of governmental experts on small arms.

2. While the Government of Singapore recognizes the importance of cubing the illicit transfer of small arms, the illicit trade in small arms must be clearly distinguished from the production, accumulation and transfer of small arms for the legitimate right of national

defence. Any measure aimed at curbing the illicit transfer of small arms should not impair the right of Member States to self-defence in accordance with Article 51 of the Charter of the United Nations.

3. The Government of Singapore imposes strict national measures to curb the illegal ownership of and trade in small arms. Singapore enforces strict control over the import and export of small arms and trading in such weapons. All trading in small arms requires specific licence and approval from the relevant authorities in Singapore. Singapore also enforces strict laws against the unlawful possession of small arms and the illegal use of such weapons.

Turkey

[Original: English]
[30 June 1998]

Turkey, cognizant of the serious threat posed by the illicit small arms trade to international peace and security, fully supports the efforts made in that field in international forums. In that regard, Turkey has introduced a draft resolution within the Organization for Security and Cooperation in Europe for the establishment of an Organization for Security and Cooperation in Europe conventional arms register to include categories of certain small arms. Owing to the objections of the principal small-arms-exporting countries, a consensus could not be reached, and in the end a compromise decision (No. 13/97) was taken, making it obligatory for dissemination within the Organization for Security and Cooperation in Europe the same information provided to the United Nations Register of Conventional Arms.

In that respect, Turkey, which voted in favour of General Assembly resolution 52/38 J, fully support the convening of an international conference on the illicit arms trade, as envisaged in operative paragraph 4 of the said resolution. Turkey believes that the conference will allow an in-depth analysis of all aspects of the illicit arms trade.

The Permanent Mission of Turkey would like to take this opportunity to state that the report of the Secretary-General on small arms (A/52/298) constitutes an important and comprehensive contribution to the treatment of the subject. Although the connection between drug trafficking and the illicit trade in small arms, extensively used in regional conflicts, is mentioned in the report, the Mission believes that this question could be dealt with more extensively, given its significance. In addition, the Mission is of the opinion that in the recommendations section of the report, it would be beneficial to refer to the need to include small arms in the United Nations Register of Conventional Arms.

United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union)

[Original: English]
[29 June 1998]

The members of the European Union have all voted in favour of General Assembly resolution 52/38 J on Small Arms and wish to provide the following common reply to operative paragraph 4, which requests that the Secretary-General seek the views of Member States on the report of the Panel of Governmental Experts on Small Arms, on the steps that they have taken to implement its recommendations and on the recommendation concerning the convening of an international conference on the illicit arms trade.

The European Union is currently in the process of making its policies on small arms more coherent and effective. Once this exercise has been completed, Member States will be in an even better position to provide further input to the work of the General Assembly. In the meantime, the European Union offers the following thought on the subject of small arms to the Secretary-General.

Views on the report of the United Nations Panel

The European Union is of the view that a serious challenge to the international community is raised by the combination of internal conflicts with the proliferation of small arms. Small arms are the weapons increasingly used as a primary instrument of violence in internal conflicts dealt with by the United Nations and account for the greatest percentage of deaths and injuries in many armed conflicts.

Whatever the criteria that may be adopted appropriately to define the types of small arms and light weapons currently being used in armed conflicts, the European Union would underline that it is nonetheless of the utmost importance to continue to develop ways to solve problems associated with their excessive and destabilizing accumulation. In this respect, the European Union fully subscribes to the three basic reasons for such accumulations that the Panel of Experts identified: when a State, whether supplier or recipient, does not exercise restraint in the production, transfer and acquisition of such weapons beyond the need for legitimate national and collective defence and internal security; when a State, whether supplier or recipient, cannot exercise effective control to prevent the illegitimate acquisition, transfer, transit or circulation of such weapons; and when the use of such weapons manifests itself in armed conflict, in crime, such as arms and drug trafficking, or other actions contrary to the norms of national or international law.

The European Union supports the Panel's view that accumulations of small arms and light weapons by themselves are not the cause of conflicts. The availability of these weapons contributes towards exacerbating conflicts by increasing their lethality and the duration of violence, by encouraging a violent rather than peaceful settlement of differences, and by generating a vicious circle of a greater sense of insecurity, which in turn leads to a greater demand for, and use of, such weapons.

Several elements are required for an objective analysis concerning potentially destabilizing transfers or accumulations of small arms. These include the motivation of the recipient State (is there a clearly identifiable risk that the recipient might use the weapons aggressively against another country, or that the equipment might be used for internal repression?); regional perceptions (the need not to affect adversely regional stability in any significant way, and the need not to introduce into the region new capabilities which would be likely to lead to increased tension); and the risk of diversion of the weapons to an undesirable end-user.

The European Union welcomes the recommendations of the Panel to reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons in specific regions of the world where such accumulations and transfers have already taken place. The European Union also welcomes the recommendations to prevent such accumulations and transfers from occurring in the future.

The European Union welcomes and fully endorses the proportional and integrated approach to security and development introduced by the Panel, including the identification of appropriate assistance for internal security forces. Because social development and enhancing security are connected, that approach is essential for combating the proliferation

of small arms. In that context, particular attention should be paid to the reintegration of demobilized soldiers into civilian life.

The European Union welcomes the re-establishment of the Panel to continue the work already started. Furthermore, it welcomes the work that is being undertaken by the group of experts on ammunition and explosives. This is an important area requiring further study.

Steps taken by the European Union to implement the Panel's recommendations

The European Union shares the view of the Panel on the major role of illicit trafficking of conventional arms in destabilizing societies and governments, in encouraging crime and fostering terrorism, in supporting drug trafficking and mercenary activity and in the violation of human rights. The European Union has, over the past year, sought to pursue a twin-track approach to address the issues associated with both legal and illicit transfers of conventional arms.

In June 1997, the European Union agreed on a programme for preventing and combating illicit trafficking in conventional arms. This programme pays particular emphasis to small arms. It entails a broad set of non-binding measures promoting both cooperation among Member States and European Union assistance to third countries affected by illicit trafficking in conventional arms. In that regard, the European Union believes that a regional, incremental approach may be a suitable stepping stone towards an international agreement and has decided to focus, initially, on southern Africa. A recent seminar in Johannesburg identified an action plan which provided illustrative guidance for possible future cooperation between the European Union and the Southern African Development Community to combat small arms proliferation in the region.

A major contribution to the issue of legal transfers of conventional arms, including small arms, has been the adoption on 8 June 1998 of the European Union Code of Conduct on Arms Exports.

The Code elaborates the European Union's existing eight common criteria for arms exports and includes unprecedented operative provisions, including a consultation mechanism under which no member State will issue a licence on an arms export denied by another European Union country, for instance, for violation of human rights, without consulting the latter. It also provides for a monitoring mechanism based on an annual report by each European Union country on its own arms exports as well as an evaluation meeting. The Code includes the commitment of each European Union member State to use its best endeavours to encourage other arms-exporting States to subscribe to the principles of the Code.

Views on convening a conference

These issues underline the need to bring the international community together as a whole to deal with this outstanding issue. In principle, the European Union supports the recommendation of the Panel to consider the possibility of convening an international conference on the illicit arms trade in all its aspects, based on the issues identified in the report. The European Union encourages the Panel, taking into account the views of the member States expressed in their replies, to arrive at a recommendation on the objective, scope and timing of the conference in time for consideration by the General Assembly at its fifty-fourth session.

United States of America

[Original: English]
[21 May 1998]

The Government of the United States of America strongly supports the Secretary-General's views expressed in the Supplement to the Agenda for Peace that although considerable progress is being made dealing with weapons of mass destruction, not enough is being done to stem the traffic in small arms, the arms that are actually killing people in the hundreds of thousands and that are responsible for most of the deaths in current intra-State conflicts.

President Clinton has pointed out that no one is immune to the increasingly interconnected groups that traffic in terror, organized crime, and drug smuggling, and that nowhere is cooperation more vital than those areas. It is no secret that the tools of choice for these groups are small arms. The world is awash with these weapons which are difficult to monitor and next to impossible to intercept. Despite the fact that there are no quick solutions to the small arms problem, the United States, in cooperation with others in the international community, has embarked in earnest on a search for solutions at all levels. Those efforts are showing steady progress.

At the international level, President Clinton announced in his address to the General Assembly on 22 October 1995 that the United States was fully prepared to expand its cooperation with other United Nations Member States in an effort to stop the flow of narcotics, to halt the spread of organized crime, and to stem the proliferation of small arms. Pursuant to this course, the United States called on all United Nations Member States to expand cooperation in the search for global standards that will help States avoid becoming unwitting parties to illegal arms trafficking, that will help to reinforce and strengthen national laws prohibiting illegal arms transactions beyond national borders, that will also help identify and apprehend international criminals and ensure their prosecution to the fullest extent of the law, and that will help verify the accuracy of arms export applications both before and after export authorizations. In that context, the United States endorses the recommendations of the 1997 report of the Panel of Governmental Experts on Small Arms, urges their implementation, and supports further United Nations work on the issue, in particular, the convening of an international conference on the illicit arms trade. The United States also welcomes European Union efforts to develop a code of conduct whose principles appear to be consistent with United States arms transfer policy. The United States looks forward to its completion with a view towards associating ourselves with it.

At the regional level, the United States passed the African conflict resolution act, designed to improve conflict resolution capabilities across the African continent, within the Organization of African Unity and subregional organizations. The act requires various United States agencies to report to Congress on their contributions to those efforts. The United States has sent representatives to Mali and assisted in promoting the moratorium on the export and import of small arms in West Africa. The United States is finalizing plans to make a financial contribution to continue supporting the moratorium once it is signed.

At the December 1995 Ottawa ministerial on international terrorism, the United States, along with Japan, the Russian Federation, Canada and the countries of the European Union, agreed to develop strategies to identify and combat illicit traffic in small arms. As part of this effort, the United States agreed to promote an exchange of information useful for law enforcement purposes, and to coordinate a forum to discuss this issue further among the relevant law enforcement authorities. Together with Mexico, the United States seared the leadership role in securing the early conclusion of the Organization of American States

convention against illicit arms trafficking. Presidents Clinton and Zedillo presided over the signing ceremony as a symbol of the importance both Governments attach to that unprecedented treaty. The United States is also leading efforts among G-8 countries and at the United Nations Crime Commission to use the Organization of American States convention as the basis for an international instrument against illicit arms trafficking.

At the national level, the United States changed its law in 1996 to close a loophole that previously had allowed United States arms brokers to deal guns in other countries with impunity. The United States also continues to engage in operational activities which result in the apprehension of criminals and in the seizures of large amounts of illegal contraband, including arms. For instance, "Operation Exodus", a customs export control programme in existence since 1981, has made a total of almost 14,000 seizures totalling more than $1 billion in illicit exports. In 1996, "Operation Overrun", a task force of customs inspectors designed to detect, uncover and seize shipments of surplus and military scrap being illegally exported from the United States, seized more than $10 million in illicitly arranged exports.

The United States continues to support the global United Nations Register of Conventional Arms and sends delegates to United Nations experts panels on both the United Nations Register and on small arms. Since its inception, the United States has submitted returns to the Register and has consistently encouraged other Member States to do the same. The United States has also begun to recognize and support the important role that complementary regional registers can play. The United States also supports the guidelines for international arms transfers developed by the United Nations Disarmament Commission and the current discussions of the Commission on practical disarmament.